

CHAPTER 2

SEWER CHARGE; INDUSTRIAL COST RECOVERY SYSTEM

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7-2-1: AUTHORITY: Pursuant to the requirements of Title II of the Federal Water Pollution Control Act Amendment of 1972 (Public Law 92-500, 33 USC 1251 et seq), as promulgated in the February 11, 1974 Federal Register, Volume 39, No. 29, Part III as regulations of the United States Environmental Protection Agency, as created by the National Environmental Protection Act and the Environmental Protection Act of 1972 as enacted by the 76th General Assembly of the State of Illinois, the sections of the following ordinance are hereby enacted by the Village Board of the Village of Arthur.

7-2-2: DEFINITIONS:

ACCRUED RESERVES – A method of keeping accounts of the segregated resources over several years to determine the funds available to offset capital expenditures to maintain an on-going-on-line waste treatment facility.

ACT means the Federal Water Pollution Control Act, as amended, Public Law 92-500, 33 USC 1251 et seq.

ADMINISTRATOR shall mean the Regional Administrator of Region V of the U.S. Environmental Protection Agency.

ANY OTHER USER shall mean for the purpose of the user charge and in determining the surcharge point, any user whose waste is above the

average daily concentration of 310 MG/Liter BOD and an average daily concentration of 399 MG/Liter SS.

AUDIT shall mean an audit by the Village Auditor as a separate report from other funds in accordance with General Services Administration Policy Circular, FMC73-2, as published on 9/27/73, and shall cover the following: (1) Financial operations are properly conducted; (2) Financial reports are presented fairly; (3) Applicable laws and regulations have been complied with (see Section 2); (4) Resources are managed and used in an economical and efficient manner; (5) Desired results and objectives are being achieved in an effective manner; and (6) Records of audit of the I.C.R.S. charges and expenditures are being retained for the useful life of the improvement.

AUTHORIZED EXPENDITURES shall mean those authorized by the Village Board made payable by the Village Treasurer from the accounts kept for the expenditures of the user charge and industrial cost recovery systems. Expenditures from reserves shall be limited to those for which the reserve was created.

BIOCHEMICAL OXYGEN DEMAND (BOD) shall mean the quantity of oxygen, expressed in MG/L, utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at 20 degrees Centigrade.

BUILDING DRAIN – SANITARY shall mean that part of the lowest horizontal piping of a drainage system which receives the sanitary or industrial sewage only, except for intentionally admitted infiltration inside the walls of a building and conveys it to the building sewer beginning three feet (3') outside the building wall.

BUILDING DRAIN – STORM shall mean that part of the lowest horizontal piping of a drainage system which receives the drainage other than soil or wastewater inside the walls of a building and conveys it to the storm sewer.

BUILDING SEWER shall mean the extension from the building drain to the public sewer or other place of disposal (Also called house connection).

BUILDING SEWER – SANITARY – a building sewer which conveys sanitary or industrial sewage only.

BUILDING SEWER – STORM – a building sewer which conveys stormwater or other clear water drainage, but no sanitary or industrial sewage.

CLASSES OF USERS: The division of wastewater treatment customers by waste characteristics, and process or discharge similarities – a) Industrial User, b) Domestic Level User, c) Any Other User, (as defined in this Section), d) Commercial – shall mean other than Domestic Level Users, or Industrial Users, or Governmental Users, e) Governmental Users – shall mean those Federal, State, or local units of Government or Quasi-Governmental Community Project Units.

COMBINED SEWAGE shall mean a combination of both wastewater and storm or surface water.

COMBINED SEWER shall mean a sewer intended to receive both wastewater and storm or surface water.

CONTROL MANHOLE shall mean a structure located on a site from which industrial wastes are discharged. Where feasible, the manhole shall have an interior drop. Said manhole shall be for the purpose of providing access for a Village representative to sample and/or measure discharges.

DEBT SERVICE CHARGE shall be the charge and amount paid each billing period for payments of the current year's principal and interest as coverage of the reserve requirements of the bonds outstanding as included in the debt service part of the sewer bill as distinguished from the user charge system and/or industrial cost recovery system.

DEPOSITED shall mean funds placed in the control of the Comptroller of the Village of Arthur, and of said deposit is in the form of a bank check, it shall not be deemed collected within this definition until the applicable rules of the Bank's collection procedures are fulfilled.

DEPRECIATION – An annual operating cost reflecting capital consumption and obsolescence of real or permanent properties, generally between fifteen (15) and fifty (50) years of useful life.

DEPRECIATION RESERVE shall mean an account for the segregation of resources to meet longer term renewal of facilities to accommodate wear or obsolescence or real or permanent properties, to the extent of physical and/or functional obsolescence; which also may result in an indirect functional betterment.

DIRECTOR shall mean the Chief Administrator Officer of the State of Illinois Environmental Protection Agency.

DOMESTIC LEVEL USER shall mean, for the purpose of the user charge system and in determining the surcharge point, a user whose waste is at or below an average daily concentration of 319 MG/Liter BOD and an average daily concentration of 399 MG/Liter SS, i.e. normal domestic waste.

DOMESTIC WASTE shall mean the wastewaters from segregated domestic and/or sanitary conveniences as distinct from wastes from industrial processes.

EASEMENT shall mean an acquired legal right for the specific use of land owned by others.

FECAL COLIFORM shall mean any of a number of organisms common to the intestinal tract of man and animals, whose presence in sanitary sewage is an indicator of pollution.

FEDERAL GRANT shall mean the U.S. Government participation in the financing of the construction of treatment works as provided for by Title II – Grants for Construction of Treatment Works of the Act.

FLOATABLE OIL shall mean oil, fat, or grease in a physical state such that it will separate by gravity for wastewater by treatment in an approved pretreatment facility. Wastewater shall be defined as being free of floatable oil if it does not, after pretreatment or otherwise, interfere with the flow of sewage in the sewer, which is to impede the flow by a rate of not less than the equivalent of the lowest flow in the specific lateral.

FUNCTIONAL BETTERMENT shall mean an improvement in process in increased facilities or an improvement in process in existing facilities which is directly anticipated to preclude physical betterments or is an indirect improvement to the process as a result of renewal on a cost effective basis.

FUNCTIONAL OBSOLESCENCE shall mean the process deficiency of a functional element of a plant beyond the capacity of a preventative maintenance program such that a new process device or piece of equipment would be more cost effective.

GARBAGE shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the commercial handling, storage and sale of produce.

INCOMPATIBLE POLLUTANT shall mean any non-treatable waste product, including non-biodegradable dissolved solids.

INDUSTRIAL COST RECOVERY FUND shall mean that the Village Comptroller shall create within the Village accounts, a fund for the accounting of revenue received and expenditures made from the industrial cost recovery system.

INDUSTRIAL COST RECOVERY SYSTEM shall mean the system of charges levied, as distinguished from the sewer bill whose constituent elements are the User Charge System and the Debt Service Charge, to recover from the aggregate of industrial users of a wastewater treatment works that portion of the grant amount allocable to treatment of wastes from such users proportionate to the use of the design of such facilities by each individual industrial user.

INDUSTRIAL USER – For the purpose of industrial cost recovery system, shall mean any nongovernmental user of publicly owned treatment works identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions:

- (A) Division A – Agriculture, Forestry and Fishing;
- (B) Division B – Mining;
- (C) Division D – Manufacturing;
- (D) Division E – Transportation, Communications, Electric, Gas and Sanitary Services;
- (E) Division I – Services.

A user in the divisions listed may be excluded if it is determined by the Superintendent that the industry will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

INDUSTRIAL WASTE shall mean the wastewaters from a combination of liquid and water-carried wastes discharged from any industrial establishment resulting from any process carried on in that establishment

inclusive of effluents from pretreatment facilities and/or discharges of polluted cooling waters.

INFILTRATION shall mean the water unintentionally entering the public sewer system, including sanitary building drains and sewers, from the ground, through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls.

INFILTRATION/INFLOW shall mean the total quantity of water from both infiltration and inflow without distinguishing the source.

INFLOW shall mean the water discharge into the public sewage system, including, building storm drains, from such sources as, but not limited to, roof leaders, cellar, yard, and area drains, foundation drains, unpolluted cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers and/or combined sewers, catch basins, storm waters, surface runoff, street wash waters or drainage.

MAY is permissive.

METHOD shall mean the method of depreciation or replacement in terms of governmental fund accounting procedure, the inverse of which shall be the method of accruing the offsetting reserve which shall be exactly equal to the expense involved, and shall be individually applied to each functional element of a treatment process in terms of annual reserve requirements for the user charge and the annual re-evaluation of useful life.

NATURAL OUTLET shall mean any outlet, including storm sewers and combined sewer overflows, into a water course; pond, ditch, lake, or other body of surface or groundwater.

NATIONAL POLLUTANT DISCHARGE ELIMINATION PERMIT (NPDES) shall mean a permit issued under the National Pollutant Discharge Elimination System for Discharge of Wastewaters to the Navigable Waters of the United States pursuant to Section 402 of PL 92-500.

OPERATION AND MAINTENANCE COSTS: All costs, direct and indirect, not including debt service, but inclusive of expenditures attributable to administration, treatment, and collection of waste waters necessary to insure adequate wastewater treatment on a continuing basis, conform to applicable regulations, and assure optimal long term facility management.

PERSON shall mean any individual, firm, company, association, society, or corporation discharging any wastewater to the receiving facility.

pH shall mean the reciprocal of the logarithm of the hydrogen concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of seven (7), and a hydrogen ion concentration of 10^{-7} .

PHYSICAL BETTERMENT shall mean the expansion of a physical facility to increase capacity of the treatment works.

PHYSICAL OBSOLESCENCE shall mean the material deficiency of a functional element of a plant to a point that repair as normal or preventative maintenance is not cost benefit effective.

PRETREATMENT shall mean the treatment of industrial sewage from privately owned industrial sources prior to introduction of the waste effluent into a public treatment works, in accordance with 40 CFR 128.

PRETREATMENT FACILITY: Any privately owned and operated waste treatment facility capable of limiting the strength of discharges to the public sewer to 300 MG/L BOD and 350 MG/L SS.

PREVENTATIVE MAINTENANCE shall mean normal equipment maintenance that would maintain the anticipated useful life of the element of a wastewater treatment works.

PRIVATE SEWER shall mean a sewer which is not owned by the Village of Arthur.

PUBLIC SEWER shall mean a sewer which is owned and controlled by the Village of Arthur which shall include the elements of the collection system.

RECOVERY PERIOD shall mean thirty (30) years, pertaining to the wastewater treatment facility constructed under a Federal Grant pursuant to PL 92-500, 33 USC 1251 et seq.

RECOVERY UNIT CHARGES shall mean the unit charges in parts of dollars that can be applied to the flow in one thousand (1,000) gallons, lbs. of BOD and lbs. of SS.

RENEWAL shall mean the expenditure of reserve funds or other funds to overcome physical and/or functional consumption of plant capacity or

function or obsolescence of same, in order that the equivalent in function of plant is present at the end of the anticipated useful life.

REPLACEMENT shall mean an annual operating cost reflecting capital consumption and physical and/or functional obsolescence of personal or limited useful life equipment or appurtenances.

RETAINED AMOUNT shall be the amount of money held in trust and deposit for the expansion of the facilities together with the interest earned thereon for the proration of the Industrial Cost Recovery System Fund according to PL 92-500, 33 USC 1251 et seq.

REPLACEMENT RESERVE shall mean an account for the segregation of resources to meet capital consumption of personal or limited useful life equipment or appurtenances.

SAMPLING PROCESS shall mean the securing of wastewater samples by single grab method and/or composite sampling of five (5) grab samples in eight (8) hours and/or the samples secured by a twenty-four (24) hour composite method.

SANITARY SEWER shall mean the means of conveyance of the combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, including polluted cooling water, domestic and/or industrial wastes.

SHALL is mandatory.

SHREDDED GARBAGE shall mean the wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1/2") (1.25 centimeters) in any dimension.

SIGNIFICANT INDUSTRY shall mean any industry that will contribute greater than ten percent (10%) of the design flow and/or design pollutant loading of the treatment works.

SLUG shall mean any discharge of water or wastewater which in concentration of any given constituent or in any quantity of flow which exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

STANDARD METHODS shall mean the laboratory procedures set forth in the latest edition at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater" prepared and published jointly by the American Public Health Association, the American Waterworks Association, and the Water Pollution Control Federation, and 40 CFR Part 136, 3, 4 and 5, and/or other recognized procedures by USEPA and Illinois Environmental Protection Agency.

STORM SEWER shall mean a sewer for conveying water, groundwater, or unpolluted water from any source and to which sanitary and/or industrial wastes are not intentionally admitted.

SUPERINTENDENT shall mean the Superintendent of the Arthur Sewage Collection and Treatment Department, or his properly authorized Deputy, Agent, or Representative acting in a proper and lawful capacity.

SURCHARGE shall mean the assessment in addition to the basic user charge for the load of BOD and SS which is levied on those persons whose waters are greater in strength than normal.

SUSPENDED SOLIDS (SS) shall mean total suspended matter that either floats on the surface of, or is in suspension in water, wastewater, or other liquid and is removable by laboratory filtration as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as non-filterable residue.

TOTAL SOLIDS shall mean the sum of suspended and dissolved solids.

UNPOLLUTED WATER shall mean water of quality equal to or better than the effluent criteria of an applicable NPDES Permit, or water that would not cause violation of receiving water quality standards of a receiving stream, and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

USEFUL LIFE shall mean the anticipated term in years of physical and/or functional productivity of elements of and/or the whole wastewater treatment process, which can be re-evaluated as a result of preventative maintenance, renewal which offsets physical and/or functional obsolescence, renewal of capital elements due to consumption, and physical and/or functional betterments either direct or indirect.

USER CHARGE SYSTEM shall mean the system of charges that include the charges derived from estimated annual operation and maintenance requirements for the following fiscal year, the depreciation and replacement reserve requirements on new and old facilities as fixed assets, pursuant to Section 204(B) of PL 92-500; and 40 CFR 35.935-13 (February 11, 1974 Federal Register).

VILLAGE shall mean the Village of Arthur or its officers acting in a lawful and duly prescribed way.

VOLATILE ORGANIC MATTER shall mean the material in the sewage solids transformed to gases or vapors when heated at fifty (50) degrees Centigrade for fifteen (15) minutes.

WASTEWATER shall mean the combination of liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, including unintentionally admitted infiltration (i.e. Sewage).

WASTEWATER TREATMENT WORKS shall mean the structures, equipment, and processes required to collect, transport, and treat domestic and industrial wastes and dispose of the effluent and accumulated residual solids.

WATER COURSE shall mean a natural or artificial channel for the passage of waste either continuously or intermittently including the primary discharge of the waste treatment plant effluent to an intermittent stream.

WATER SYSTEM shall mean collectively all facilities for the potable water supply.

7-2-3: SEWER BILL:

- (A) The Village Comptroller shall annually estimate the funds required for the next fiscal year operation and maintenance requirements and billing and collection expenses. The applicable amounts of monies for depreciation and replacement reserves shall be included in the estimate as well as the applicable debt service requirements. This estimate shall be made in a form of a recommendation to the Village Board as an annual revision of the sewer charge rates consisting of the user charge, debt service charge, and billing and collection charge.

- (B) User Charge: The User Charge shall be levied according to the following elements, or unit charges:
1. (Deleted)
 2. \$0.1299 per Pound BOD
 3. \$0.1132 per Pound SS
 4. A surcharge of \$0.2656 per pound shall be levied on all strengths (#BOD and #SS) of waste above domestic sewage, as defined in Section 7-2-2, "ANY OTHER USER".
 5. A basic charge of five dollars thirty-five cents (\$5.35) per one thousand (1,000) gallons shall be billed as the minimum residential bill, which includes the domestic level waste in terms of the pounds charge in Sections 7-2-3(B)(2) and 7-2-3(B)(3) above.
 6. (a) A basic charge of thirty dollars (\$30.00) per month shall be billed and payable for non-industrial sewer usage without water hook-up. (b) Liability for payment, non-payment and lien provisions for sewer usage as described in Village Code 8-2-1 et seq., shall also apply to sewer usage without water hook-up.
- (C) Debt Service Charge: The charge for debt service shall be included in the above listed charges.
- (D) Expenditures may be made by the Village Comptroller upon authorization by the Village Board from the accounts kept for the user charge system, debt service charge and billing and collection charge. Such expenditures shall be from a general revenue account although costed to specific revenue elements of the cumulative charges of the sewer bill.
- (E) Expenditures from the accrued depreciation reserve on facilities shall be limited to renewals to accommodate physical and/or functional wear and obsolescence of real or permanent properties, to the extent such is necessary over and above an ongoing

maintenance program to maintain the anticipated useful life. Such expenditures might indirectly result in physical and/or functional betterments.

- (F) Expenditures from the accrued replacement reserve on facilities shall be limited to renewals to accommodate wear of physical elements of limited life elements or part thereof (fifteen (15) years or less) and/or movable property, which would result in an extended useful life or meet the anticipated useful life. Such expenditures might indirectly result in limited physical and/or functional betterments.
- (G) Such renewals shall be capital expenditures which shall cause the annual estimate for accrued reserves from depreciation and replacement to be evaluated in terms of extended useful life as a result of preventative maintenance programs, or such renewals. The expenditures to overcome physical and/or functional obsolescence shall be capitalized against the element of the facility and costed to the fixed assets group of accounts as an improvement to such element. Future estimates of accrued reserve requirements shall be evaluated and reflected in the depreciation and replacement reserve requirements.
- (H) An audit shall be performed annually as a separate report from the general Village audit in terms of Federal Management Circular 73-2. Such audit shall be performed by a qualified auditor selected by and separate from the executive management of the sewer utility.

7-2-4: INDUSTRIAL COST RECOVERY SYSTEM CHARGES:

Recovered amounts shall be collected from industrial users during the cost recovery period which are the charges recovered from the aggregate of industrial users of a wastewater treatment works that portion of the grant amount allocable to treatment of wastes from such users proportionate to the use of the design of such facilities by each individual user.

The industrial cost recovery period shall be thirty (30) years with payments due at least annually or more frequently as determined by the Village Board.

An industrial user's share shall be based on all factors which significantly influence the cost of the treatment work. Periodic testing shall determine the factors such as strength, volume and delivery flow rate characteristics

in order that the changes in such characteristics are reflected during the recovery period in revised bills to an individual industrial user based on flow and loading compared to recovery unit charges for each Federal grant.

Additional I.C.R.S. charges may be enacted when there is an upgrading or expansion of facilities that would utilize funds that require I.C.R.S. charges such as under the act.

The industrial user's share shall relate only to that portion of the grant assistance allocable to the design capacity committed for its use.

The industrial user's share shall not include an interest component, except as elsewhere provided under penalty.

Retained amounts shall be monies held from recovery unit charges of the industrial user's; fifty percent (50%) of which shall be retained with the remainder including interest earned thereon shall be returned to the U.S. Treasury on an annual basis. A minimum of eighty percent (80%) of the retained amount (forty percent (40%) of total) shall be, together with any interest earned thereon, used solely for the eligible costs of the expansion or reconstruction of treatment associated with the project.

Any transfer to construction accounts and/or expenditure of such retained amounts must have an authorizing document for audit purposes of the written approval of the Regional Administrator prior to commitment (solicitation for, receipt of, and/or acceptance by contract of bids) of the retained amounts for any expansion and reconstruction. Such expenditures shall be for physical and/or functional betterments.

The remainder of the retained amounts twenty percent (20%) (ten percent (10%) of the total) shall be used as the Village sees fit.

These recovery unit charges are applicable to all industrial users of the wastewater collection system and wastewater treatment works contributing industrial wastes to said system and shall be deposited with the Village Comptroller. All charges shall be collectable and paid to the Village Comptroller or authorized agent within fifteen (15) days of the billing date. I.C.R.S. charges shall be billed and collected monthly.

Expenditures, as defined above, may be made by the Village Comptroller upon authorization by the Village Board from the accounts of the I.C.R.S. Fund. Pending such disbursement, the Village Comptroller shall invest the retained amounts for reconstruction and expansion in:

- (A) Obligations of the U.S. Government, or
- (B) Obligations guaranteed as to principal and interest by the U.S. Government or any agency thereof, or
- (C) Accounts fully collateralized by obligations of the U.S. Government or by obligations fully guaranteed as to principal and interest by the U.S. Government or any agency thereof.

The revenue received from said charges shall be prorated on the following basis and invested and expended accordingly together with interest earned thereon:

- (A) Fifty percent (50%) to the trust and deposit account for retention and annual return with accrued interest to the U.S. Treasury, as specified by the Regional Administrator, Region V, U.S. Environmental Protection Agency.
- (B) Forty percent (40%) for retention and investment for future sewerage construction.
- (C) Ten percent (10%) held for periodic transfer to the general fund and/or to abate a portion of the debt service charge and/or tax.

A separate audit report shall be made annually from the sewer utility and from other funds by an Auditor selected by the Village Board and removed from the executive management of such fund.

- (A) The Industrial Cost Recovery System charge shall be levied for the industrial cost recovery period according to the following recovery unit charges:
 1. \$0.0377796 per 1,000 Gallons Flow
 2. \$0.0150436 per Pound BOD
 3. \$0.0082595 per Pound SS

7-2-5: FUNDING SYSTEM (Including Bond Reserve Coverage):

The Village shall annually in its budgeting process, determine the amount of revenue to be raised with the other charges in order to adequately fund the sewer utility and comply with the applicable provisions

of the bond ordinance for the series of 1964. These bond reserve requirements are concurrent and are not limiting on the reserves of the user charge system created by Federal law.

Standard fund accounting procedures shall be followed with entries made to record revenues and expenditures from the foregoing accounts, with the most stringent requirements of Federal, State or local law applying and/or the more severe requirements of professional accounting practice.

The Village Comptroller shall deposit all revenues from the user charge and debt service charge into the sewer utility fund account. These monies shall also be credited to the bond reserve accounts required by the bond ordinance in order specified in those ordinances. The general requirement of maintaining an on-line, on-going sewerage enterprise shall be the common goal of the charge and account system.

7-2-6: AUTHORITY OF ADMINISTRATIVE PERSONNEL:

ARTICLE 1: INSPECTION: The Superintendent with proper identification shall be permitted to enter onto all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to the discharge to the public system. The Superintendent may require additional samples or require a sampling control manhole in order to facilitate the sampling process.

ARTICLE 2: INDUSTRIAL PROCESSES: The Superintendent is authorized to obtain information concerning industrial processes which have direct bearing on the kind and source of discharge. The Superintendent shall require plans and specifications for said private waste system prior to issuing a permit.

ARTICLE 3: EASEMENTS: The Superintendent, with proper identification, shall be permitted to enter all private properties through which the Village holds an easement. Under the terms of pre-existing conditions, should the Village discover sewer lines lying under private property without duly negotiated easements, the Village may authorize the Superintendent to enter upon and conduct such activities as necessary to maintain the collection system. The Village hereby assumes any contingent liability for damage to private property as may result from said actions as determined by the actual status of the physical condition of the surface land.

7-2-7: TESTING:

- (A) Testing shall be performed as determined by the Superintendent to adequately ascertain the waste discharge levels of flow, BOD, and SS in order to comply with applicable provisions of the act.
- (B) The Village shall revise the sewer charges quarterly, in accordance with the flow and strength of waste determined in Section 7-2-7(A).

7-2-8: PENALTY: Failure to comply with the provisions of this ordinance shall constitute a violation of a general ordinance of the Village of Arthur, Illinois, with such minimum penalty as may be the discontinuance of service to said facility and/or a fine to be determined by a Court of competent jurisdiction in an amount not to exceed five hundred dollars (\$500.00) per day in addition to the Village's costs and fees and Court costs incurred in securing compliance, which may include any expense, loss or damage occasioned by reason of such violation.

7-2-9: IMPLEMENTATION: The rates enacted in Sections 7-2-3 and 7-2-4 above shall become effective on and after the due passage of this ordinance; provided further that billing shall begin when the sewage treatment facility is accepted from the Contractor and notice of same rates implementation is given by resolution, or at an earlier date established by the Village Board.